



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

OCTOBER 22, 2019

TO: PLANNING COMMISSION
DEVELOPMENT REVIEW COMMITTEE

RE: **STAFF SUMMARY REPORT**
LSDP – MOBIUS LEARNING ACADEMY

STAFF: ELIZABETH JOHNSON, PLANNER III
KRISTIFER PAXTON, DEVELOPMENT COMPLIANCE MANAGER

PROJECT INFORMATION:

PROJECT NAME:	Mobius Learning Academy
PROJECT DESCRIPTION:	8,400-sf school on 5.35 acres
ADDRESS/LOCATION:	8313 W Pleasant Grove Road
GROSS SITE AREA:	5.35 acres
RESIDENTIAL UNITS:	N/A
REQUESTED WAIVERS:	Curb cuts, Connectivity
REQUESTED VARIANCES:	N/A
FEES-IN-LIEU:	N/A

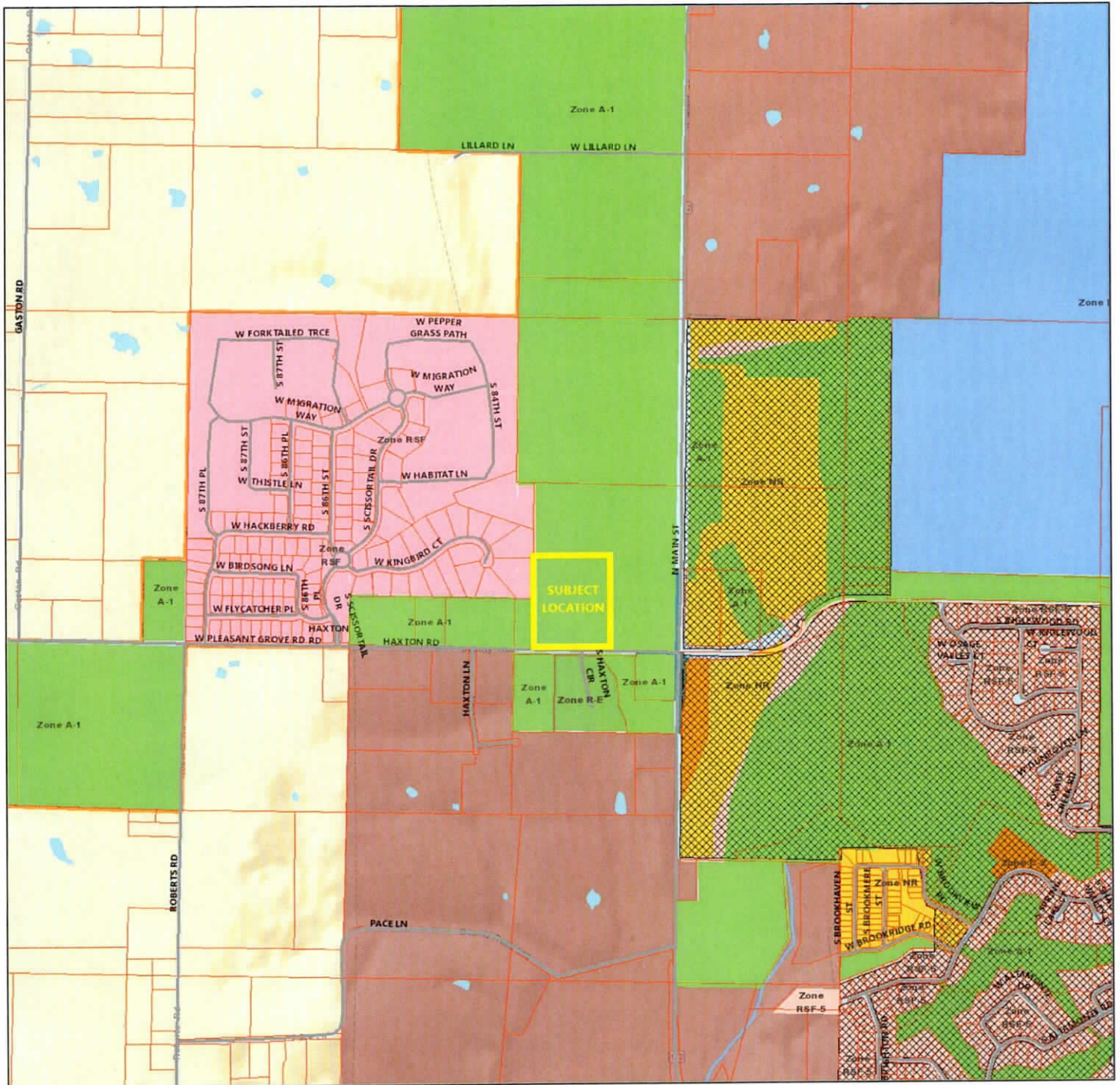
APPLICANT INFORMATION:

APPLICANT/REPRESENTATIVE:	ESI
PROJECT OWNER/DEVELOPER:	HWY 112 Partners, LLC
PROPERTY OWNER:	HWY 112 Partners, LLC
REQUEST:	Large-Scale Development Plan approval

CITY INFORMATION:

CGM GROWTH DESIGNATION:	Neighborhood
GROWTH DESIGNATION CHARACTER:	Single-use residential areas connected by collector and local streets that may feature community-oriented non-residential uses such as schools, resource centers, and places of worship. Goals include preserving locations for low-density residential while limiting its proliferation in areas proposed for higher-intensity development.
ZONING DISTRICT:	A-1 (Agricultural)
AUTHORITY:	Chapter 14, Article III, Rogers Code of Ordinances

VICINITY MAP:



BACKGROUND:

- The developer proposes to build a 8,400-sf school on 5.35 acres off of W Pleasant Grove Road.
- The site is not located within a PUD. Surrounding properties are zoned R-SF and A-1.
- The project has gone through the technical review process and all required revisions have been completed with the exception of requested waivers and/or variances.

ENGINEERING REVIEW:

1. **ACCESS MANAGEMENT:** The street frontage along West Pleasant Grove Road is less than 600 feet, and is allowed one curb cut per Sec. 14-260(e). The applicant requests a **WAIVER** from Sec. 14-260(e) stating that the creek limiting connectivity to the east is a hardship. The applicant states *"Stemming from the same hardships as the street connectivity, the proposed development requires a waiver for the curb cut requirements as well. With the hardship of not being able to connect to a future eastern development, access to this site would be more functional with 2 curb cuts. As proposed, current property has 493' of street frontage, while the requirement for 2 curb cuts is a 600' minimum. Therefore, a waiver of the additional 107' of street frontage is being requested as the development does not have the possibility of ever connecting to the eastern side of the property."*
2. **STORMWATER MANAGEMENT:** The applicant proposes a new detention facility that will be located at the southeast corner of the development and has been reviewed to appropriately mitigate post-development discharge volumes.
3. **WATER QUALITY:** To meet water quality requirements, the applicant proposed an extended detention basin which was designed using a combination of the Urban Storm Drainage BMP Design-AID Workbook, and Hydraflow. Water quality design requirements have been met.
4. **MASTER STREET PLAN IMPROVEMENTS:**
 - a) **Street Pavement and Condition:** The roadway pavement for both streets are not in substandard condition and do not require improvements.
 - b) **Connectivity Standards:** Connectivity standards have not been met for this project. The applicant requests a **WAIVER** from Sec. 14-604(c)(3) stating a hardship that a *"channel meanders west along the north side of the property, [the applicant] believes that any R/W dedication along the west of the property would be unnecessary as the property wouldn't be left with proper depth to develop outside of the channel."*
 - c) **Streetscape:**
 - i. **Right-of-Way:**
 - 1) The property is along an appropriately sized 70' right-of-way for the Collector Street – W Pleasant Grove Road.
 - ii. **Sidewalks & Sidepaths:**
 - 1) The applicant proposes a sidewalk along the street frontage with an appropriate width of 10' and a 6' greenspace, which reflects the Collector Street Typical Street Section. Due to a drainage channel crossing, staff requested the proposed sidewalk along the east be connected between the headwall and the back of curb to the property line which will reduce the width at this location to 6' to make the crossing. An ADA compliant Safety Rail is required between the sidewalk and the headwall and is proposed.
 - d) **Trails:** No trail construction is required on this site. Sidepath is proposed.
 - e) **Street Lights:** Street Lights are proposed within the right-of-way along W Pleasant Grove Road.
 - f) **Street Trees:** Street trees are proposed within the right-of-way along W Pleasant Grove Road.
5. **RECOMMENDATIONS:**
 - a) **Approve WAIVER to Sec. 14-260(e) from Number of Curb Cuts Permitted.** The applicant proposes two curb cuts due to limited connectivity to the east due to a drainage channel at the property line. Section 14-260(e) states *"Unless otherwise specified by this section, the maximum number of curb cuts for each property shall be determined by length of road frontage and the maximum speed limit of the road (as determined by the City master street plan)."* Staff was able to work with the developer to ensure the proposed cuts meet the requirements of Sec. 14-260(f) being spaced 250' apart, and recommends approval due to the hardship limiting connectivity.
 - b) **Deny WAIVER to Sec. 14-604(c)(3)** *"to ensure future street connections to adjacent streets, a proposed development shall provide minor street connections at intervals not to exceed 660 feet and not less than 200 feet along existing streets. New minor streets shall align with existing nearby streets to the extent practicable."* Staff recommends the Planning Commission to require a 40' right-of-way along the east side

of the development to the west of the defined water surface elevation, moving the proposed fence out of the drainage easement to the west of the proposed right-of-way, and to provide access to the detention facilities from the city right-of-way.

STAFF SIGNATURES:



Kristifier Paxton, Development Compliance Manager
City of Rogers Engineering Division

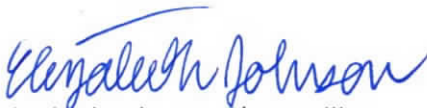


Lance Jobe, City Engineer
City of Rogers Engineering Division

PLANNING REVIEW:

1. LAND USE:
 - a) Use Definition: Per Sec. 14-695, "Schools, Public or Private" is defined as "encompassing educational institutions for pre-kindergarten through twelfth (12th) grade."
 - b) Zoning Compliance: The proposed project is in compliance with all A-1 zoning standards.
 - c) CGM Compliance: The proposed project is in compliance with the purpose, character, and goals of the Neighborhood Growth Designation.
2. DEVELOPMENT STANDARDS: The proposed project conforms to all development standards required by Sec. 14-697 and Article III with the exception of any requested waivers and/or variances.
 - a) Building Disposition: The proposed project has met all the building disposition requirements, as stated in Section 14-697.
 - b) Parking & Loading: The site plan has met all parking requirements stated in Section 14-697(e).
 - c) Screening & Transitions: The site plan has met all screening requirements, as stated in Section 17-697.
 - d) Landscaping: All landscaping requirements have been met.
3. REPORTS FROM OTHERS: The proposed project has been reviewed by the City of Rogers Risk Reduction Division and Rogers Water Utilities (see Tab 2 for RWU Conditional Approval Letter). All projects are made available for review by franchise utilities and Benton County 911 Administration.
4. RECOMMENDATIONS:
 - a) Consider with regard to land-use compatibility and the health, safety, and general welfare of the public.
 - b) **Approve project.**

STAFF SIGNATURES:



Elizabeth Johnson, Planner III
City of Rogers Planning Division



Ethan Hunter, City Planner
City of Rogers Planning Division

TOTAL REQUESTED WAIVERS & VARIANCES:

1. **Waiver to Sec. 14-260(e) from *Number of Curb Cuts Permitted*** (staff recommends approval).
2. **Waiver to Sec.. 14-604(c)(3) from connectivity requirements** (staff recommends denial).

SUGGESTED MOTIONS:

1. FOR APPROVE: "Move to approve the large-scale development for Mobius Learning Academy as presented."
2. FOR APPROVE WITH CONDITIONS: "Move to approve with conditions the large-scale development for Mobius Learning Academy subject to [conditions, contingencies, or other actions on requested waivers/variances]."
3. FOR DENY: "Move to deny the requested large-scale development."
4. FOR TABLE: "Move to table the requested large-scale development [indefinitely or date certain]."

DIRECTOR'S COMMENTS:

1. Agree with recommendations.



John McCurdy, Director
City of Rogers Community Development

TABS:

1. Waiver/Variance Letter
2. RWU Conditional Approval Letter
3. Infrastructure Agreement
4. Site Plan

September 13, 2019

Ms. Lori Ericson
Assistant City Planner
301 W. Chestnut St.
Rogers, AR 72756

RE: Mobius Learning Academy

Dear Ms. Ericson

This letter is intended to serve as a narrative to accompany the Large Scale Development (LSD) plans for Mobius Learning Academy. The proposed project is located on Benton Co. Parcel No. 02-02137-320, currently owned by HIWAY 112 Partners LLC. The property is currently zoned A-1 and is undeveloped. The Large Scale Development has been proposed on Lot 2 of the attached lot split (5.35 acres±) and is unconditionally permitted as a school through the current zoning. The development, titled the Mobius Learning Academy, consists of an 8,400 SF learning facility, with outdoor soccer and playground areas, as well as associated parking and utility improvements.

While the proposed development meets nearly all zoning, landscaping, and engineering requirements, the unique location of the site has created hardships for the following items.

Street Connectivity:

As there is an existing drainage channel along the eastern boundary of this development, the possibility of connecting two developments across the channel would not be feasible for this scenario. The potential connection would essentially place 2-6'x10' Reinforced Box Culverts directly upstream from the existing culverts on W. Pleasant Grove Rd. These existing culverts have been shown on the attached property exhibit. Because of these hardships, the developer wishes to request a waiver from the street connectivity requirements.

Curb Cut Requirements:

Stemming from the same hardships as the street connectivity, the proposed development requires a waiver for the curb cut requirements as well. With the hardship of not being able to connect to a future eastern development, access to this site would be more functional with 2 curb cuts. As proposed, current property has 493' of street frontage, while the requirement for 2 curb cuts is a 600' minimum. Therefore, a waiver of the additional 107' of street frontage is being requested as the development does not have the possibility of ever connecting to the eastern side of the property.

Right of Way Dedication:

Lastly, a waiver of the right of way dedication requirements along the western boundary line has been requested. A 100 scale property exhibit has been attached showing the routing of the existing channel. As the channel meanders west along the north side of the property, the we believe that any R/W dedication along the west of the property would be unnecessary as the property wouldn't be left with proper depth to development outside of the channel.

Included with this narrative are the following items:

- PDF Copy of the following
 - Revised LSD Plans
 - Revised Drainage Report
 - Responses to Planning/Engineering Comments
 - Responses to CECC Comments
 - Responses to RWU Comments
- Site Exhibit

If you have any questions, please let me know.



Jason Appel, PE
Secretary/Treasurer



September 26, 2019

Mr. Jason Appel, PE
Engineering Service, Inc.
P.O. Box 282
Springdale, AR 72765-0282

Re: Conditional Approval of Civil Plans
Mobius Learning Academy

Dear Mr. Appel,

We have reviewed the plans that were received for the referenced project and are approving them with the following conditions:

General Project Requirements

1. Depict a proposed utility easement with a minimum width of 15' encompassing the proposed 8" water main.

Utility Plan & Profile

2. The tap location at the 12" water main shall be noted as a 12"x8" tapping sleeve & valve.
3. The fire line tee shall be 8"x4" with a 4" demarcation valve.
4. The proposed water main shall terminate with an 8" valve, 8"x6" reducer, and hydrant.
5. Depict all proposed fittings in the waterline profile.
6. Provide a dimension in the waterline profile (Line A) depicting 36" minimum cover.
7. Revise the note for the 6" sewer service entrance into the manhole to read "FL IN".
8. As instructed in the previous review letter, provide a detail for RPZA installation indicating manufacturer, model number-complete with all suffixes and prefixes, size, and installation orientation shown.

Preconstruction Requirements

9. The following must be submitted prior to scheduling a pre-construction meeting:
 - A. The utility contractor must be licensed by the State of Arkansas in the Underground Piping, Cable, Trenching, Boring Specialty Class or as a Municipal Utility Contractor. A copy of the contractor's license must be submitted if the contractor has not worked recently within the Utility's service area.
 - B. One copy of the revised plans for review.
 - C. Written approval from the Arkansas Department of Health.
 - D. A signed copy of the enclosed Special Contract for Facilities Extensions. Please note and bring to the attention of your client that access fees and impact fees are defined in the contract and must be delivered to the Utility before water service will be established.
 - E. A copy of the executed contract between the developer or general contractor and the utility contractor.
 - F. Three copies of the approved plans submitted at the pre-construction meeting.

Approval of this project is void if construction is not started within one year of the date affixed hereto.

Sincerely,



Digitally signed by
Brian Sartain
Date: 2019.09.26
10:56:53 -05'00'

Brian Sartain, PE

Attachment(s): Special Contract for Facilities Extension